

## **REMARKS**

### **Overview**

The present application formerly included claims 1-38. With this response, Applicant amends claim 11; and cancels claims 4, 10, 15, 20 and 31 without prejudice or disclaimer of the subject matter therein. Thus, claims 1-3, 5-9, 11-14, 16-19, 21-30 and 32-38 remain pending in this application.

### **Claim Rejections under 35 U.S.C. §112**

The Examiner rejected claims 4, 10, 15, 20 and 31 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With this amendment, applicant has canceled claims 4, 10, 15, 20 and 31. Thus, Applicant respectfully requests that this rejection be withdrawn.

The Examiner required clarification of “wherein the visual component includes a first tailored portion” in claim 11. With this response, Applicant has amended claim 11 to read “wherein the visual component includes a first tailored visual portion.” Thus, Applicant respectfully requests that this objection be withdrawn.

### **Claim Rejections under 35 U.S.C. §103(a)**

The Examiner rejected claims 1-38 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0099798 to Federovsky et al (“Federovsky”) in view of admitted art and other well known facts. Submitted herewith is a declaration by the inventor under 37 CFR § 1.131 with accompanying exhibits establishing invention of the subject matter of the rejected claims prior to the effective date of the Federovsky reference. Thus, Applicant respectfully requests that this rejection be withdrawn.

In addition, Applicant respectfully traverses the Examiner’s Official Notice “that it is well-known for businesses to send targeted emails to consumers with invitations to visit certain websites and further providing identifiers for special incentives or viewing.” If the Examiner wishes to maintain this assertion, Applicant respectfully requests that the Examiner provide documentary evidence supporting such conclusion was appropriate at the time Applicant made the present invention.

In addition, Applicant respectfully traverses the Examiner’s assertion that “it is obvious that the same principle of presenting a generic marketing portion in addition to a

tailored portion could be applied to the visual component as well for the same purpose as stated above, that of providing a warmer more personalized message.” If the Examiner wishes to maintain this assertion, Applicant respectfully requests that the Examiner provide documentary evidence supporting such conclusion was appropriate at the time Applicant made the present invention.

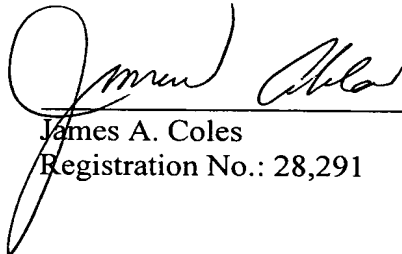
**Final Remarks**

Claims 1-3, 5-9, 11-14, 16-19, 21-30 and 32-38 are believed to be in condition for allowance. Such allowance is respectfully requested.

If necessary, please consider this a Petition for Extension of Time to affect a timely response. Please charge any additional fees or credits to the account of Bose McKinney & Evans, LLP Deposit Account No. 02-3223. In the event that there are any questions related to these amendments or to the application in general, the undersigned would appreciate the opportunity to address those questions directly in a telephone interview (919-861-5092) to expedite the prosecution of this application for all concerned.

Respectfully submitted,

BOSE McKINNEY & EVANS LLP



---

James A. Coles  
Registration No.: 28,291